

REMARKS

This is in response to the Office Action mailed January 11, 2005, in which the Examiner rejected claims 6-8 and 11-24, objected to claim 9, and allowed claims 25 and 26. With this Amendment, Applicant has amended claims 6, 8, and 19 and canceled claims 9, 11-18, and 22-24. Reconsideration of the application as amended is respectfully requested.

In Section 9 of the Office Action, the Examiner identified claim 9 as including allowable features and indicated that claim 9 would be allowable if rewritten in independent form. With this Amendment, Applicant has amended independent claim 6 to substantially include all of the features set forth in previously presented claim 9 (now canceled). Accordingly, Applicant submits that claim 6 is presently in condition for allowance. Additionally, Applicant submits that all claims depending from claim 6 are allowable as being dependent from an allowable base claim.

With this Amendment, Applicant has amended independent claim 19 to include substantially all of the features of allowable claim 25. Such features include a plurality of reference positions for each transducer and the identification of the virtual tracks relative to the reference positions to thereby allow the device to operate in a cylinder mode. Applicant submits that the amendment to claim 19 does not raise any new issues since such features have been previously presented. Accordingly, Applicant submits that claim 19 is in condition for allowance. Additionally, Applicant submits that claims 20 and 21 are allowable as being dependent from allowable base claim 19, and requests that the rejections be withdrawn.

In view of the above comments and remarks, Applicant submits that the present application is condition for allowance. Reconsideration and favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Brian D. Kaul, Reg. No. 41,885  
Suite 1600 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 339-3312

BDK/djb